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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,266

Applicant(s)

WANT ET AL.

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 4 objected to because of the following informalities: Spacing is needed between the IEEE 805.15 and technology. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 rejected under 35 U.S.C. 102(b) as being anticipated by Weiser et al. (Hereafter, Weiser) U.S. Patent 5,982,520.
4. Regarding claim 1, Weiser discloses a wireless communication module (eg. Figure 2 transceiver 46) to communicate with an access device in a wireless fashion (Figures 1 and 2; and col. 4 lines 54-60); a data storage module to store bulk data (abstract lines 1-2); and a controller connected to the communication module and to the data storage module, the controller controlling storage of data in the data storage module and retrieval of data from the data storage module in response to requests from a user via the access device (col. 2 lines 41-67; col. 4 lines 60-65).
5. Regarding claims 2 and 25, Weiser further discloses the communication module is a radio frequency (RF) transceiver (col. 2 lines 25-30).

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6. Regarding claims 3 and 26, Weiser further discloses the wireless communication module communicates using a standardized communication protocol (col. 2 lines 25-30).

7. Regarding claim 6, Weiser further discloses the controller includes a host control interface (HCI) to interface the controller to the wireless communication module in a serial fashion (eg. interface with pc in Figure 1).

8. Regarding claim 7, Weiser further discloses the HCI is a USB interface (col. 5 lines 15-20).

9. Regarding claims 8 and 32, Weiser further discloses the controller includes a processor which operates in at least two different modes dependent upon processing power requirements (col. 7 lines 40-65).

10. Regarding claims 9 and 33, Weiser further discloses the processor operates in at least a first and a second active mode, the processor being configured to have greater processing capabilities when in the second active mode (col. 7 lines 40-65).

11. Regarding claims 10 and 35, Weiser further discloses the communication module operates in a dormant mode when not communicating with the access device, and in an active mode when communicating with the access device (col. 7 lines 40-65).

12. Regarding claims 11 and 37, Weiser further discloses the clock frequency of the processor is adjusted when the processor is in a different mode of operation (col. 5 lines 5-15; and col. 7 lines 40-65).

13. Regarding claims 12,13,34, and 36, Weiser further discloses the supply voltage to the processor is selectively reduced, and a DVM module for adjusting the processor voltage dependent upon its mode of operation (col. 5 lines 5-15; and col. 7 lines 40-65).

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14. Regarding claims 14, Weiser further discloses a rechargeable power supply for powering its various components, and a display to form a self-contained functional unit when not used in conjunction with the access device (Figure 1).

15. Regarding claim 15, Weiser discloses a plurality of access devices, each access device including at least a wireless communication interface (Figure 1); and at least one portable memory device which includes a wireless communication module to communicate in a wireless fashion with the wireless communication interface of any one of the access devices when in proximity to the access device (Figures 1 and 2; and col. 4 lines 54-60); a data storage interface connected to a data storage module (abstract lines 1-2); and a controller connected to the communication module and to the data storage interface, the controller controlling storage of data in the data storage module and retrieval of data from the data storage module in response to requests from a user via any one of the access devices (col. 2 lines 41-67; col. 4 lines 60-65).

16. Regarding claim 16, Weiser further discloses the portable memory device communicates data stored in the data storage module exclusively via the access device (col. 5 lines 5-13).

17. Regarding claim 17, Weiser further discloses the data storage module is releasably connected to the data storage interface to allow a user to store and retrieve data from a connected data storage module via the access device in a wireless fashion (Figure 1; and abstract).

18. Regarding claim 18, Weiser further discloses the data storage module forms an integral part of the portable device, the device including a compact portable housing for housing its various components and modules (col. 4 lines 13-31).

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19. Regarding claim 19, Weiser further discloses the portable device includes a power source including an attachment arrangement releasably to attach a power source to a complementary attachment arrangement of the housing (col. 4 lines 60 through col. 5 lines 4).

20. Regarding claim 20, Weiser further discloses the power source is a rechargeable battery source and the portable device includes a charger circuit for charging the battery without removing it from the housing (col. 1 lines 35-45).

21. Regarding claim 24, Weiser discloses a wireless communication module to communicate with an access device in a wireless fashion (Figures 1 and 2; and col. 4 lines 54-60); a connector to connect to a data storage module which operatively stores bulk data (abstract lines 1-2; and col. 5, lines 15-20); and a controller connected to the communications module and to the connector, the controller controlling the storage of data in the data storage module and the retrieval of data from the data storage module in response to requests from a user via the access device (col. 2 lines 41-67; col. 4 lines 60-65).

22. Regarding claim 28, Weiser discloses providing a portable memory device which includes a wireless communication module (Figures 1 and 2; and col. 4 lines 54-60); sensing when the memory device is in proximity to any one of a plurality of access devices (Figure 1); establishing wireless communication with the access device, and communicating data between the memory device and the access device which operatively displays the data to a user (Figures 1 and 2; and col. 5 2nd paragraph).

23. Regarding claim 29, Weiser further discloses determining the processing capabilities of the access device and adjusting a level of processing by a processor of the portable memory device dependent upon the processing capabilities of the access device (col. 7 lines 40-55).

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24. Regarding claim 30, Weiser further discloses includes running application software on the portable memory device when the device has a greater processing capability than the access device (eg. standby mode running to reduce power when access device less active; col. 7 lines 40-55).

25. Regarding claim 31, Weiser further discloses running application software on the access device when the access device has sufficient processing capabilities, and storing data in and retrieving data from the portable memory device as required by the application software (Figure 1; and col. 7 lines 40-60).

Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claims 4,5, and 21-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser in view of Barnard U.S. Patent 6,456,938.

28. Regarding claims 4 and 5, Weiser discloses a wireless communication module to communicate with an access device in a wireless fashion; however, Weiser fails to teach the communication module communicates using Bluetooth IEEE 802.15 technology, and Bluetooth hardware interacting with a Bluetooth software stack.

Barnard discloses communication module communicates using Bluetooth IEEE 802.15 technology, and Bluetooth hardware interacting with a Bluetooth software stack (Figure 1).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Barnard's teaching into Weiser's method to implement the Bluetooth technology to avoid interference from other signals by hopping to a new frequency after transmitting or receiving a packet.

29. Regarding claims 21-23, Weiser discloses a data storage interface connected to a data storage module; however, Weiser fails to teach the data storage module is a semiconductor memory selected from the group including a FLASH memory, DRAM memory and SRAM memory; a magnetic memory device in the form of a disk drive; and an optical storage device.

Barnard discloses the data storage module is a semiconductor memory selected from the group including a FLASH memory, DRAM memory and SRAM memory, a magnetic memory device in the form of a disk drive, and an optical storage device (col. 35 lines 22-25).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Barnard's teaching into Weiser's method to use a FLASH memory, DRAM memory and SRAM memory, a magnetic memory device, and an optical storage device as the data storage module to provide flexibilities and portability.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Demers et al. U.S. Patent 5,952,638

Want et al. U.S. Patent 5,818,425

Klein et al. U.S. Patent 6,859,197

Baratton et al. Pub. No. US 2003/0018581 A1

Ausems et al. Pub. No. US 20030013483

Pepin et al. Pub. No. US 20020011951 A1


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Mon -Thu (7AM-4: 30PM) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H. Nguyen
Examiner
Art Unit 2143

March 17, 2005



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SUPERVISORY PATENT EXAMINER
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